

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	Case No.: CR14-5246BHS
)	
Plaintiff,)	
vs.)	
EUGENIO MEZA-OROZCO,)	ORDER ON MOTION TO CONTINUE
)	PRE-TRIAL MOTIONS CUTOFF, PRE-
Defendant)	TRIAL CONFERENCE AND TRIAL
)	DATE
)	
)	

Before this court is a motion to continue the pre-trial motions cutoff, the pre-trial conference presently set for February 2, 2015 and the trial date presently scheduled for February 10, 2015.

A continuance is requested as negotiations are ongoing in an attempt to resolve this matter. Additionally, counsel will be out of the office due to a medical issue for approximately one week. Therefore, counsel will need additional time to attempt to resolve this case or to effectively prepare for trial.

Co-defendant, Mr. Ramirez-Herrera joins in this motion, and filed a waiver of speedy trial.

AUSA Gregory Gruber is aware of this motion and has no objection to this request.

1 That the court finds, after a consideration of all relevant information (including
2 the affidavit filed by Zenon P. Olbertz in support of the motion for a continuance) and
3 the circumstances of this case, that without this continuance the defendant will be
4 prejudiced and the ability to properly prepare for trial would be impaired. Failure to
5 grant a continuance under these circumstances would result in a miscarriage of justice.
6 The ends of justice would best be served by the granting of the motion for continuance
7 to ensure continuity of counsel and adequate trial preparation. The ends of justice
8 outweigh the best interests of the public and the defendant in having the matter brought
9 to trial sooner.

12 For these reasons, the court finds the defendant's motion for continuance should
13 be granted.

15 The pre-trial motions cutoff date shall be scheduled for April 2, 2015.

16 The pre-trial conference scheduled for February 2, 2015 at 11:00 p.m. is
17 STRICKEN and the pre-trial conference shall be continued to May 4, 2015, at 9:00
18 a.m.

20 The trial date scheduled for February 10, 2015 is VACATED. Trial shall be
21 RESCHEDULED to May 12, 2015 at 9:00 a.m. in Tacoma, Washington.

1 The period of delay resulting from this continuance from the current trial date of
2 February 10, 2015 to the new trial date of May 12, 2015, is hereby excluded for speedy
3 trial purposes under 18 U.S.C. 3161(h)(8)(A) and (B) for purposes of computing the
4 time limitations imposed by the Speedy Trial Act, 18 U.S.C. § 3161-3174.
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6 IT IS SO ORDERED.

7 Dated this 22nd day of January, 2015.
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13 BENJAMIN H. SETTLE
United States District Judge

14 Presented by:

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16 LAW OFFICE OF
ZENON PETER OLBERTZ
17 Attorneys for defendant
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19 By: /s/ Zenon P. Olbertz
20 Zenon P. Olbertz
21 WSB #6080
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